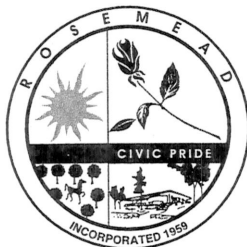


MAYOR:  
JOHN TRAN

MAYOR PRO TEM:  
JOHN NUÑEZ

COUNCILMEMBERS:  
MARGARET CLARK  
POLLY LOW  
GARY A. TAYLOR



## City of Rosemead

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8838 E. VALLEY BOULEVARD • P.O. BOX 399  
ROSEMEAD, CALIFORNIA 91770  
TELEPHONE (626) 569-2100  
FAX (626) 307-9218

**CERTIFIED MAIL – 7001 1140 0002 3963 7024**

July 10, 2008

Violet Varona-Lukens  
Executive Officer  
Los Angeles County  
Board of Supervisors  
Hall of Administration, Room 383  
500 W. Temple Street  
Los Angeles, CA 90012

Dear Ms. Varona-Lukens:

Enclosed are two certified copies of Resolution No. 2008-46, requesting specified services to the City of Rosemead relating to the November 4, 2008, Special Municipal Election.

If you have any questions, please give me a call at 626 569-2171.

Sincerely,

Gloria Molleda  
City Clerk  
City of Rosemead

cc: County Clerk/Registrar Records  
12400 Imperial Highway  
Norwalk, CA 90650

Martin & Chapman  
1951 Wright Circle  
Anaheim, CA 92806

STATE OF CALIFORNIA           )  
COUNTY OF LOS ANGELES    )     SS.  
CITY OF ROSEMEAD           )

I, Gloria Molleda, City Clerk of the City of Rosemead, do hereby certify that the foregoing Resolution No. 2008-46 being:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSEMEAD, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008, FOR THE SUBMISSION TO THE VOTERS A MEASURE RELATING TO PROPOSING A CITY CHARTER AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE SAID ELECTION WITH THE STATEWIDE GENERAL ELECTION ON THAT DATE PURSUANT TO §10403 OF THE ELECTION CODE**

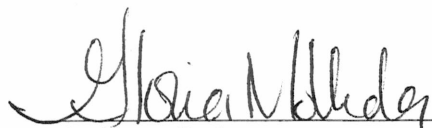
was duly and regularly approved and adopted by the City Council on the 8<sup>TH</sup> of July 2008, by the following vote to wit:

Yes: Low, Nunez, Tran,

No: Clark, Taylor

Abstain: None

Absent: None



Gloria Molleda  
City Clerk

**RESOLUTION NO. 2008-46**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSEMEAD, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008, FOR THE SUBMISSION TO THE VOTERS A MEASURE RELATING TO PROPOSING A CITY CHARTER AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE SAID ELECTION WITH THE STATEWIDE GENERAL ELECTION ON THAT DATE PURSUANT TO §10403 OF THE ELECTION CODE**

WHEREAS, under the provisions of the laws relating to general law cities in the State of California a Special Municipal Election shall be held on Tuesday, November 4, 2008; and

WHEREAS, the City Council desires to submit to the voters at the election a measure relating to proposing a City Charter; and

WHEREAS, it is desirable that the Special Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the city the precincts, polling places, and election officers of the two elections be the same, and that the county election department of the County of Los Angeles canvass the returns of the Special Municipal Election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROSEMEAD, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Rosemead, California, on Tuesday, November 4, 2008, a Special Municipal Election.

SECTION 2. That pursuant to the requirements of §10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a Special Municipal Election with the Statewide General election on Tuesday, November 4, 2008.

SECTION 3. That the City Council, pursuant to its right and authority, does order submitted to the voters at the Special Municipal Election the following question and the measure is to appear on the ballot as follows:

Shall the proposed City Charter of the City of Rosemead be adopted?	Yes
	No

SECTION 4. That the text of the proposed measure shall be submitted to the voters and is attached as Exhibit A.

SECTION 5. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 6. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of this election, in the time, form and manner as required by law.

SECTION 8. That the County election department is authorized to canvass the returns of the Special Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used and shall be in the form and content as required by law.

SECTION 9. That the Board of Supervisors is requested to issue instructions to the county election department to take any and all steps necessary for the holding of the consolidated election.

SECTION 10. That the Board of Supervisors is hereby requested to permit the county election department to perform and render all services and proceedings incidental to, and connected with, the conduct of the subject election of the City of Rosemead, with cooperation and assistance of the City Clerk of the City of Rosemead, such services to include, but not be limited to the following activities as are appropriate to the subject election:

1. Furnish a tabulation of the number of registered voters in each precinct.
2. Establish voting precincts, secure locations for polling places, secure the services of election officers for each precinct as required by law, and furnish a list of precincts, polling places and election officers for filing in the Office of the City Clerk of the City of Rosemead.
3. Prepare and furnish to the election officers, necessary election supplies for the conduct of the election.
4. Cause to be printed the requisite number of sample ballots, official ballots, polling place slips, rosters, tally sheets and other necessary forms.
5. Furnish and address the envelopes necessary to mail sample ballots to the registered voters of the City of Rosemead.
6. Insert the sample ballots and other printed matter into envelopes for mailing and cause the same to be mailed, as required by law.
7. Assemble the election material and supplies into ballot bags and make necessary arrangements for their delivery to the various precincts.
8. Distribute absent voter ballots as required by law.
9. Receive the returns of the elections and supplies.
10. Sort and assemble the election material and supplies in preparation for canvassing of the returns of the election.
11. Canvass the returns of the elections, including the vote by mail ballots.
12. Furnish a tabulation of the number of votes given in each precinct.
13. Make all arrangements and take the necessary steps to pay the members of the precinct boards, the polling place rentals, the persons returning the ballot bags, and to pay all other costs of the election incurred as the result of services performed for the City of Rosemead for the election officials the amounts prescribed by the Board of Supervisors of the County of Los Angeles.

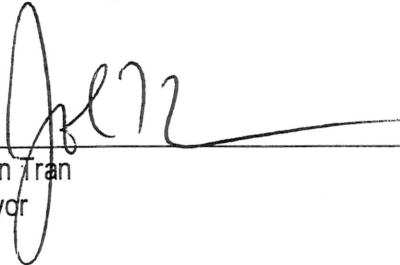


SECTION 11. That the City of Rosemead recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County of Los Angeles for any costs upon presentation of a bill for them.

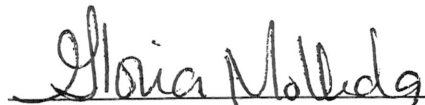
SECTION 7. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the county election department of the County of Los Angeles.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Rosemead on the 8<sup>th</sup> day of July, 2008.

  
\_\_\_\_\_  
John Tran  
Mayor

ATTEST:

  
\_\_\_\_\_  
Gloria Molleda  
City Clerk

# City of Rosemead

## City Charter

### Preamble

The citizens of Rosemead enact this Charter to preserve and enhance the quality of life in our community. It is our intention to provide local control of our municipal government and to promote the health, safety and welfare of all citizens of this City, and we do hereby exercise the express right granted by the Constitution of the State of California to enact and adopt this Charter for the City of Rosemead.

### Article 1 Succession

#### Section 1.1. Succession

The City shall continue to be a municipal corporation known as the City of Rosemead. The boundaries of the City of Rosemead shall continue as now established until changed in the manner authorized by law. The City shall remain vested with and shall continue to own, have, possess, control and enjoy all property rights and rights of action of every nature and description owned, had, possessed, controlled, or enjoyed by it at the time this Charter takes effect, and is hereby declared to be the successor of same. It shall be subject to all debts, obligations and liabilities, which exist against the City at the time this Charter takes effect. All lawful ordinances, resolutions, rules and regulations, or portions thereof, in force at the time this Charter takes effect and not in conflict with or inconsistent herewith, are hereby continued in force until the same have been duly repealed, amended, changed or superseded by proper authority.

### Article 2 Governance

#### Section 2.1. Form of Government

The municipal government established by this Charter shall be known as the "Council-Manager" form of government. The City Council will establish the policy of the City and the City Manager will carry out that policy. The City Manager shall be the administrative head of the city government. In addition to his or her general powers as administrative head, and not as a limitation thereon, it shall be the duty of the City Manager and he or she shall have the power, consistent with applicable laws, ordinances, and regulations:

1. to see that the laws of the state of California pertaining to the city and all laws and ordinances of the city are duly enforced, and that all franchises, permits, and privileges granted by the city are faithfully observed;

2. to appoint, promote, discipline, demote, and / or remove any and all officers, employees, and agents of the city; to transfer employees from one department to another; and to consolidate or combine any and all offices, positions, departments, or units of the city;
3. to exercise control over and to supervise in general all departments and divisions of the city government and all appointive officer and employees thereof;
4. to recommend to the City Council for adoption such measures and ordinances as he or she deems necessary or expedient;
5. to purchase or cause to be purchased all supplies for the entire city;
6. to make investigations into the affairs of the city and any department or division thereof, and any contract or the proper performance of any obligation related to running the city;
7. to exercise general supervision over all public buildings, public parks, streets and other public property which are under the control and jurisdiction of the City;
8. to perform such other duties and exercise such other powers as may be delegated to him or her by ordinance or resolution of the City Council.

## **Section 2.2. Governing Body**

The City shall be governed by a City Council composed of five Council Members, elected by the voters of the City, at large, for four-year terms. Those persons serving on the City Council as of the effective date of this Charter shall serve out the balance of their respective elected terms, after which time, and each four years thereafter, elections shall be held to fill such council seats. The adoption of this Charter shall not in any way alter the current terms of sitting Council Members or the date of elections for City Council. The Council shall select a Mayor and Mayor Pro Tempore from its membership annually.

## **Section 2.3. Eligibility for Office**

Only persons meeting the requirements set forth in the general laws of the State of California shall be eligible to run for City Council.

## **Section 2.4. Elections for Council Members**

All elections shall be held in accordance with the provisions of the California Elections Code governing municipal elections.

## **Section 2.5. Council Vacancies**

The determination as to when a Council Member has vacated his or her Council seat and the process for filling such vacancy shall be as set forth in the California Government Code.

## **Section 2.6. Term Limits**

No person shall be a candidate for election to the office of City Council Member after having been elected to the office for three consecutive four-year terms. Nothing in this section shall prevent any person who has held the office of City Council Member for three consecutive four-year terms from holding such office again if at least twenty-four months have elapsed since his or her last term of office has expired. This section shall apply prospectively only, and neither the current term as of the effective date of this Charter, nor any prior terms, of sitting Council Members shall be counted as one of the three consecutive four-year terms described herein.

## **Article 3 Municipal Affairs**

### **Section 3.1. Municipal Affairs**

The City Council may adopt and enforce all ordinances, resolutions, rules and regulations in respect to municipal affairs, subject only to restrictions and limitations provided in this Charter, the United States and California Constitutions and applicable laws and decisions of courts with competent jurisdiction. With respect to any municipal affair not expressly addressed in this Charter, until such municipal affair is expressly addressed in this Charter, or until the City legislates over such municipal affair, the general laws of the State of California shall govern.

### **Section 3.2. Powers of the City**

This City shall have all powers that a City can have under the Constitution and laws of the State of California as fully and completely as though they were specifically enumerated in this Charter. The enumeration in this Charter of any particular power, duty or procedure shall not be held to be exclusive of, or any limitation or restriction upon, this general grant of power.

### **Section 3.3. General Law Powers**

Nothing in this Charter shall be construed to prevent or restrict the City from exercising any and all rights, powers and privileges heretofore or hereafter granted or prescribed by the general law of the State of California. All general law powers of cities in California are hereby declared to be possessed by the City. In the event of any conflict between the provisions of this Charter and the provisions of the general laws of the State of California, the provisions of this Charter shall control.

## **Article 4 Fiscal Matters**

### **Section 4.1. Purchasing and Contracts**

The City Council may, by ordinance, adopt purchasing and contracting procedures, thresholds and requirements.

#### **Section 4.2. Economic and Community Development**

The City shall encourage, support, and promote economic development and community development in the City.

#### **Section 4.3. Reductions Prohibited**

Revenues raised and collected by the City shall not be subject to subtraction, retention, attachment, withdrawal or any other form of involuntary reduction by any other level of government.

#### **Section 4.4. Mandates Limited**

No person, whether elected or appointed, acting on behalf of the City shall be required to perform any function which is mandated by any other level of government, unless and until funds sufficient for the performance of such function are provided by said mandating authority.

### **Article 5 Interpretation**

#### **Section 5.1. Construction and Interpretation**

The language contained in this Charter is intended to be permissive rather than exclusive or limiting and shall be liberally and broadly construed in favor of the exercise by the City of its power to govern with respect to any matter which is a municipal affair.

#### **Section 5.2. Severability**

If any provision of this Charter should be held by a court of competent jurisdiction to be invalid, void or otherwise unenforceable, the remaining provisions shall remain enforceable to the fullest extent permitted by law.

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       )     SS.  
CITY OF ROSEMEAD             )

I, Gloria Molleda, City Clerk of the City of Rosemead, do hereby certify that the foregoing Resolution No. 2008-46 being:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSEMEAD, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008, FOR THE SUBMISSION TO THE VOTERS A MEASURE RELATING TO PROPOSING A CITY CHARTER AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE SAID ELECTION WITH THE STATEWIDE GENERAL ELECTION ON THAT DATE PURSUANT TO §10403 OF THE ELECTION CODE**

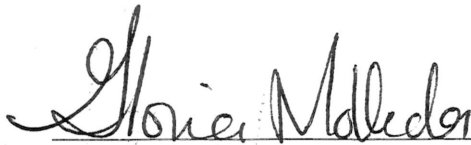
was duly and regularly approved and adopted by the City Council on the 8<sup>TH</sup> of July 2008, by the following vote to wit:

Yes: Low, Nunez, Tran,

No: Clark, Taylor

Abstain: None

Absent: None



Gloria Molleda  
City Clerk

**RESOLUTION NO. 2008-46**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSEMEAD, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008, FOR THE SUBMISSION TO THE VOTERS A MEASURE RELATING TO PROPOSING A CITY CHARTER AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE SAID ELECTION WITH THE STATEWIDE GENERAL ELECTION ON THAT DATE PURSUANT TO §10403 OF THE ELECTION CODE**

WHEREAS, under the provisions of the laws relating to general law cities in the State of California a Special Municipal Election shall be held on Tuesday, November 4, 2008; and

WHEREAS, the City Council desires to submit to the voters at the election a measure relating to proposing a City Charter; and

WHEREAS, it is desirable that the Special Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the city the precincts, polling places, and election officers of the two elections be the same, and that the county election department of the County of Los Angeles canvass the returns of the Special Municipal Election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROSEMEAD, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Rosemead, California, on Tuesday, November 4, 2008, a Special Municipal Election.

SECTION 2. That pursuant to the requirements of §10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a Special Municipal Election with the Statewide General election on Tuesday, November 4, 2008.

SECTION 3. That the City Council, pursuant to its right and authority, does order submitted to the voters at the Special Municipal Election the following question and the measure is to appear on the ballot as follows:

Shall the proposed City Charter of the City of Rosemead be adopted?	Yes
	No

SECTION 4. That the text of the proposed measure shall be submitted to the voters and is attached as Exhibit A.

SECTION 5. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 6. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of this election, in the time, form and manner as required by law.

SECTION 8. That the County election department is authorized to canvass the returns of the Special Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used and shall be in the form and content as required by law.

SECTION 9. That the Board of Supervisors is requested to issue instructions to the county election department to take any and all steps necessary for the holding of the consolidated election.

SECTION 10. That the Board of Supervisors is hereby requested to permit the county election department to perform and render all services and proceedings incidental to, and connected with, the conduct of the subject election of the City of Rosemead, with cooperation and assistance of the City Clerk of the City of Rosemead, such services to include, but not be limited to the following activities as are appropriate to the subject election:

1. Furnish a tabulation of the number of registered voters in each precinct.
2. Establish voting precincts, secure locations for polling places, secure the services of election officers for each precinct as required by law, and furnish a list of precincts, polling places and election officers for filing in the Office of the City Clerk of the City of Rosemead.
3. Prepare and furnish to the election officers, necessary election supplies for the conduct of the election.
4. Cause to be printed the requisite number of sample ballots, official ballots, polling place slips, rosters, tally sheets and other necessary forms.
5. Furnish and address the envelopes necessary to mail sample ballots to the registered voters of the City of Rosemead.
6. Insert the sample ballots and other printed matter into envelopes for mailing and cause the same to be mailed, as required by law.
7. Assemble the election material and supplies into ballot bags and make necessary arrangements for their delivery to the various precincts.
8. Distribute absent voter ballots as required by law.
9. Receive the returns of the elections and supplies.
10. Sort and assemble the election material and supplies in preparation for canvassing of the returns of the election.
11. Canvass the returns of the elections, including the vote by mail ballots.
12. Furnish a tabulation of the number of votes given in each precinct.
13. Make all arrangements and take the necessary steps to pay the members of the precinct boards, the polling place rentals, the persons returning the ballot bags, and to pay all other costs of the election incurred as the result of services performed for the City of Rosemead for the election officials the amounts prescribed by the Board of Supervisors of the County of Los Angeles.

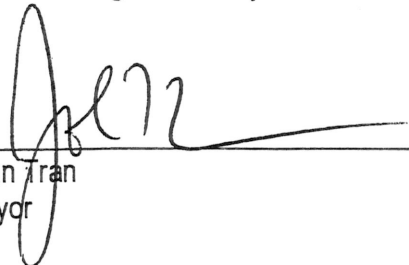


SECTION 11. That the City of Rosemead recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County of Los Angeles for any costs upon presentation of a bill for them.

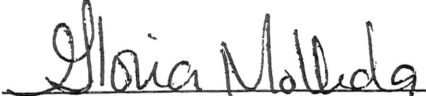
SECTION 7. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the county election department of the County of Los Angeles.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Rosemead on the 8<sup>th</sup> day of July, 2008.

  
\_\_\_\_\_  
John Tran  
Mayor

ATTEST:

  
\_\_\_\_\_  
Gloria Molleda  
City Clerk

# City of Rosemead

## City Charter

### **Preamble**

The citizens of Rosemead enact this Charter to preserve and enhance the quality of life in our community. It is our intention to provide local control of our municipal government and to promote the health, safety and welfare of all citizens of this City, and we do hereby exercise the express right granted by the Constitution of the State of California to enact and adopt this Charter for the City of Rosemead.

### **Article 1**

#### **Succession**

##### **Section 1.1. Succession**

The City shall continue to be a municipal corporation known as the City of Rosemead. The boundaries of the City of Rosemead shall continue as now established until changed in the manner authorized by law. The City shall remain vested with and shall continue to own, have, possess, control and enjoy all property rights and rights of action of every nature and description owned, had, possessed, controlled, or enjoyed by it at the time this Charter takes effect, and is hereby declared to be the successor of same. It shall be subject to all debts, obligations and liabilities, which exist against the City at the time this Charter takes effect. All lawful ordinances, resolutions, rules and regulations, or portions thereof, in force at the time this Charter takes effect and not in conflict with or inconsistent herewith, are hereby continued in force until the same have been duly repealed, amended, changed or superseded by proper authority.

### **Article 2**

#### **Governance**

##### **Section 2.1. Form of Government**

The municipal government established by this Charter shall be known as the "Council-Manager" form of government. The City Council will establish the policy of the City and the City Manager will carry out that policy. The City Manager shall be the administrative head of the city government. In addition to his or her general powers as administrative head, and not as a limitation thereon, it shall be the duty of the City Manager and he or she shall have the power, consistent with applicable laws, ordinances, and regulations:

1. to see that the laws of the state of California pertaining to the city and all laws and ordinances of the city are duly enforced, and that all franchises, permits, and privileges granted by the city are faithfully observed;

2. to appoint, promote, discipline, demote, and / or remove any and all officers, employees, and agents of the city; to transfer employees from one department to another; and to consolidate or combine any and all offices, positions, departments, or units of the city;
3. to exercise control over and to supervise in general all departments and divisions of the city government and all appointive officer and employees thereof;
4. to recommend to the City Council for adoption such measures and ordinances as he or she deems necessary or expedient;
5. to purchase or cause to be purchased all supplies for the entire city;
6. to make investigations into the affairs of the city and any department or division thereof, and any contract or the proper performance of any obligation related to running the city;
7. to exercise general supervision over all public buildings, public parks, streets and other public property which are under the control and jurisdiction of the City;
8. to perform such other duties and exercise such other powers as may be delegated to him or her by ordinance or resolution of the City Council.

## **Section 2.2. Governing Body**

The City shall be governed by a City Council composed of five Council Members, elected by the voters of the City, at large, for four-year terms. Those persons serving on the City Council as of the effective date of this Charter shall serve out the balance of their respective elected terms, after which time, and each four years thereafter, elections shall be held to fill such council seats. The adoption of this Charter shall not in any way alter the current terms of sitting Council Members or the date of elections for City Council. The Council shall select a Mayor and Mayor Pro Tempore from its membership annually.

## **Section 2.3. Eligibility for Office**

Only persons meeting the requirements set forth in the general laws of the State of California shall be eligible to run for City Council.

## **Section 2.4. Elections for Council Members**

All elections shall be held in accordance with the provisions of the California Elections Code governing municipal elections.

## **Section 2.5. Council Vacancies**

The determination as to when a Council Member has vacated his or her Council seat and the process for filling such vacancy shall be as set forth in the California Government Code.

## **Section 2.6. Term Limits**

No person shall be a candidate for election to the office of City Council Member after having been elected to the office for three consecutive four-year terms. Nothing in this section shall prevent any person who has held the office of City Council Member for three consecutive four-year terms from holding such office again if at least twenty-four months have elapsed since his or her last term of office has expired. This section shall apply prospectively only, and neither the current term as of the effective date of this Charter, nor any prior terms, of sitting Council Members shall be counted as one of the three consecutive four-year terms described herein.

## **Article 3 Municipal Affairs**

### **Section 3.1. Municipal Affairs**

The City Council may adopt and enforce all ordinances, resolutions, rules and regulations in respect to municipal affairs, subject only to restrictions and limitations provided in this Charter, the United States and California Constitutions and applicable laws and decisions of courts with competent jurisdiction. With respect to any municipal affair not expressly addressed in this Charter, until such municipal affair is expressly addressed in this Charter, or until the City legislates over such municipal affair, the general laws of the State of California shall govern.

### **Section 3.2. Powers of the City**

This City shall have all powers that a City can have under the Constitution and laws of the State of California as fully and completely as though they were specifically enumerated in this Charter. The enumeration in this Charter of any particular power, duty or procedure shall not be held to be exclusive of, or any limitation or restriction upon, this general grant of power.

### **Section 3.3. General Law Powers**

Nothing in this Charter shall be construed to prevent or restrict the City from exercising any and all rights, powers and privileges heretofore or hereafter granted or prescribed by the general law of the State of California. All general law powers of cities in California are hereby declared to be possessed by the City. In the event of any conflict between the provisions of this Charter and the provisions of the general laws of the State of California, the provisions of this Charter shall control.

## **Article 4 Fiscal Matters**

### **Section 4.1. Purchasing and Contracts**

The City Council may, by ordinance, adopt purchasing and contracting procedures, thresholds and requirements.

## **Section 4.2. Economic and Community Development**

The City shall encourage, support, and promote economic development and community development in the City.

## **Section 4.3. Reductions Prohibited**

Revenues raised and collected by the City shall not be subject to subtraction, retention, attachment, withdrawal or any other form of involuntary reduction by any other level of government.

## **Section 4.4. Mandates Limited**

No person, whether elected or appointed, acting on behalf of the City shall be required to perform any function which is mandated by any other level of government, unless and until funds sufficient for the performance of such function are provided by said mandating authority.

# **Article 5 Interpretation**

## **Section 5.1. Construction and Interpretation**

The language contained in this Charter is intended to be permissive rather than exclusive or limiting and shall be liberally and broadly construed in favor of the exercise by the City of its power to govern with respect to any matter which is a municipal affair.

## **Section 5.2. Severability**

If any provision of this Charter should be held by a court of competent jurisdiction to be invalid, void or otherwise unenforceable, the remaining provisions shall remain enforceable to the fullest extent permitted by law.